

COMMITTEE AMENDMENT FORM

DATE: 07/27/ 05

COMMITTEE ZONING PAGE NUM. (S) 1

ORDINANCE I. D. #05-O-1109 SECTION (S)

RESOLUTION I. D. #05-R- PARA.

AMENDS THE LEGISLATION BY ATTACHING A SITE PLAN DATED
RECEIVED BY THE BUREAU OF PLANNING 4/13/05

AMENDMENT DONE BY COUNCIL STAFF 7/27/05

City Council
Atlanta, Georgia

05-0-1109

AN ORDINANCE
BY: ZONING COMMITTEE

Z-05-37
Date Filed: 4-13-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **419-433 Gartrell Street, S.E.** be changed from the R-5 (Two-Family Residential) to the MR-3 (Multi-family Residential-eight-story, zero-lot line multifamily dwellings) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 45 of the 14th District, Fulton County, Georgia by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-05-37 for 419 and 423 Gartrell Street, S.E.

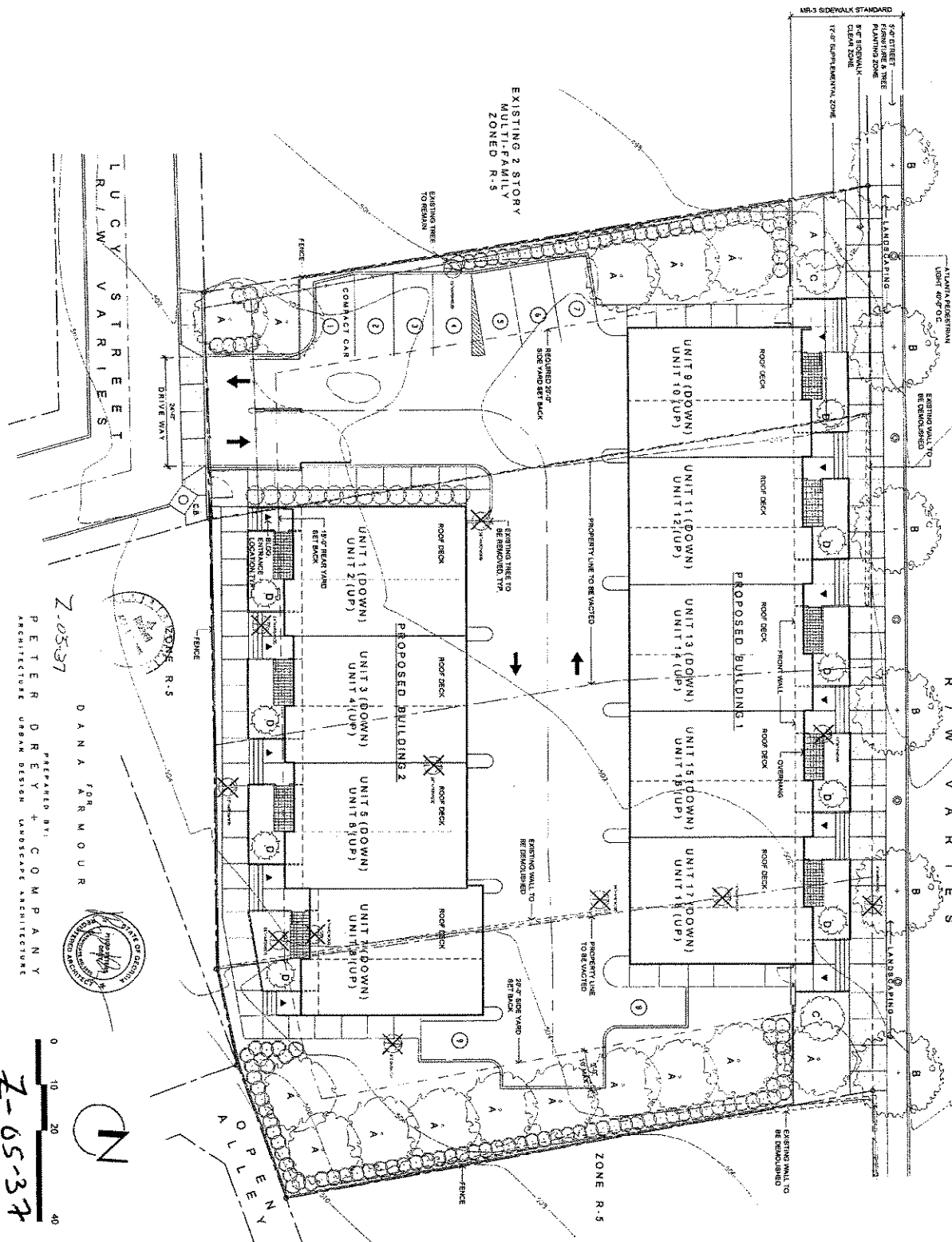
The site plan submitted by Peter Drey and Company for Dana Armour, submitted to the Bureau of Planning on 4/13/05.

GARTRELL STREET RESIDENCES

PROPOSED SITE PLAN AND TREE REPLACEMENT PLAN

APRIL 13, 2005

GARTRELL STREET
R/W VARIATION



Z-0537

DANA ARMOUR



PREPARED BY:
PETER DREYER + COMPANY
ARCHITECTURE URBAN DESIGN LANDSCAPE ARCHITECTURE

0 10 20 40

Z-0537

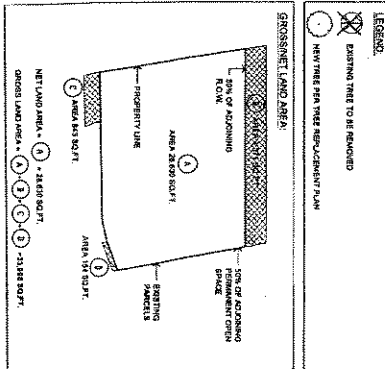
PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO ADJUSTMENTS BASED ON REVIEW FOR SPECIAL ADJUSTMENTS THE PERMIT ON OTHER DIRECTIONS

CITY OF ATLANTA ZONING ORDINANCE

ZONING REQUIREMENTS AND CALCULATIONS

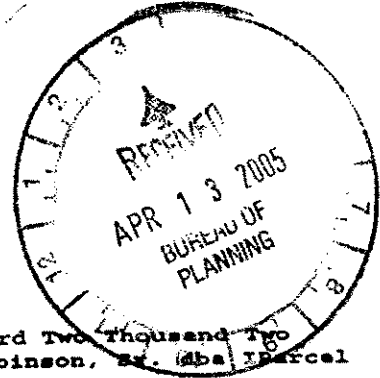
1. ZONING CLASSIFICATION: EXISTING R-5
PROPOSED BUILDING: 11,136 SQ. FT. 10' 0" HGT.
PROPOSED BUILDING: 11,136 SQ. FT. 10' 0" HGT.
2. BUILDING AND STRUCTURES: EXISTING R-5
PROPOSED BUILDING: 11,136 SQ. FT. 10' 0" HGT.
3. ACCESSORY SPACE: EXISTING R-5
PROPOSED BUILDING: 11,136 SQ. FT. 10' 0" HGT.
4. NUMBER OF DWELLING UNITS PROPOSED: 18 TOTAL
5. DENSITY AND OPEN SPACE REQUIREMENTS:
6. MINIMUM TREE REPLACEMENT:
7. LANDSCAPE AREA REQUIREMENT:
8. NUMBER OF PARKING SPACES: 18 REQUIRED + 18 PROVIDED
9. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
10. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
11. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
12. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
13. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
14. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
15. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
16. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
17. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
18. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
19. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
20. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
21. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
22. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
23. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
24. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
25. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
26. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
27. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
28. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
29. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
30. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
31. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
32. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
33. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
34. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
35. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
36. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
37. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
38. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
39. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
40. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
41. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
42. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
43. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
44. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
45. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
46. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
47. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
48. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
49. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
50. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
51. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
52. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
53. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
54. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
55. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
56. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
57. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
58. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
59. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
60. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
61. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
62. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
63. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
64. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
65. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
66. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
67. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
68. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
69. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
70. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
71. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
72. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
73. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
74. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
75. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
76. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
77. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
78. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
79. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
80. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
81. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
82. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
83. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
84. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
85. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
86. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
87. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
88. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
89. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
90. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
91. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
92. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
93. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
94. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
95. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
96. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
97. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
98. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
99. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.
100. TOTAL OPEN SPACE: 11,136 SQ. FT. 10' 0" HGT.

TREE REPLACEMENT PLAN			
SYMBOL	DESCRIPTION	SIZE	QTY
A	Small Tree (10' - 15' HGT.)	10' - 15'	10
B	Medium Tree (16' - 25' HGT.)	16' - 25'	5
C	Large Tree (26' - 35' HGT.)	26' - 35'	2
D	Very Large Tree (36' - 45' HGT.)	36' - 45'	1



RETURN TO: JAMES B. DREW, JR.
3610 CHAMBLEE TUCKER RD.
ATLANTA, GA 30341

Deed Book 32246 Pg 52
Filed and Recorded Apr-22-2002 10:46am
2002-0122610
Real Estate Transfer Tax \$37.00
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia



WARRANTY DEED

STATE OF GEORGIA

DEKALB COUNTY

THIS INDENTURE, made this 18th day of March in the year of our Lord Two Thousand Two between J&J Construction, Inc. of the first part and George Robinson, Sr. aka Parcel Net, LLC of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN AND 00/100 DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns,

All that tract or parcel of land lying and being in the City of Atlanta, Land Lot 45 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

follows:
BEGINNING at a point on the south side of Gartrell Street 100 feet, more or less, west of the intersection of the south side of Gartrell Street and the southwest side of Fitzgerald Street, at the line of property now or formerly owned by W. M. Terry; thence west along the south side of Gartrell Street 504 feet more or less, to the line of property owned by James I. Nelson; thence southerly along said line 146 feet, more or less, to line of property now or formerly owned by Sallie L. Slide; thence eastwardly 17 feet to a point; thence northeasterly 35 feet, more or less, to Terry's line; thence north along Terry's line 132 feet, more or less, to the point of beginning; being property known as 433 Gartrell Street, S.E., according to the present numbering of property in the City of Atlanta, Georgia.

property in the City of Atlanta, Georgia.
Being the same property described in deed dated January 15, 1975, recorded in Deed Book 6203, Page 417, Fulton County, Georgia records and deed dated December 4, 1973, recorded in Deed Book 5971, Page 35, Fulton County, Georgia records and deed dated December 27, 1974, recorded in Deed Book 6203, Page 416, Fulton County, Georgia records.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns, forever, IN FEE SIMPLE.

And the said parties of the first part, for their heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said parties of the second part, heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said parties of the first part has hereunto set their hands and affixed their seal, the day and year above written.

Signed, sealed and delivered
in the presence of: *21*

Witness

Notary Public

Notary Public
My commission expires on 4/15/2003.

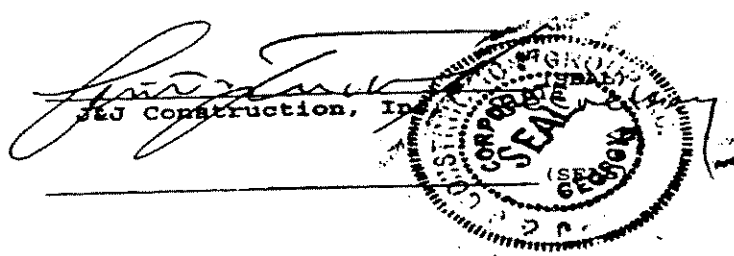
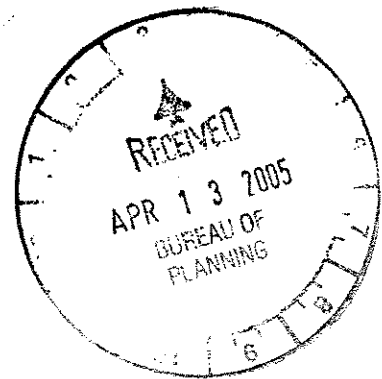


EXHIBIT A

2-05-37



All that tract or parcel of land lying and being in the City of Atlanta, and being part of Land Lot 45 of the 14th District of Fulton County, Georgia, and being the part of Lot 16 of the Gartrell Property and being more particularly described as follows: Commencing on the south side of Gartrell Street 150 feet west of Fitzgerald Street, and running thence west along the south side of Gartrell Street, 44 feet; thence slightly southwest to the east line of Lot 15 of the said property at a point 56 feet from the front; thence south along the east line of said Lot 15 a distance of 94 feet, more or less, to the south line of Lot 16; thence east 50 feet; thence north 150 feet, more or less, to the point of beginning, and being all of Lot 16, except a small tract on the northwest corner of same, sold by James Brown to Mrs. B. J. McGee by deed recorded in Deed Book 2-3, Page 492, of the land records of Fulton County, Georgia, being known according to the present system of numbering houses in the City of Atlanta, No. 429 (formerly 49) Gartrell Street, SE.

429 + 433

GARTRELL ST

Deed Book 33990 Pg 440
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

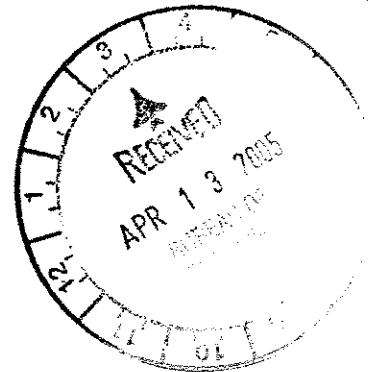
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 45,
14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FOUND ON THE SOUTHERN SIDE OF GARTRELL
STREET 250 FEET WEST FROM THE CORNER OF GARTRELL STREET AND
FITZGERALD STREET; RUNNING THENCE WESTERLY ALONG THE SOUTHERN
SIDE OF GARTRELL STREET 50 FEET TO A POINT; RUNNING THENCE
SOUTHERLY 150 FEET TO THE NORTHERN SIDE OF LUCY STREET; RUNNING
THENCE EASTERLY ALONG THE NORTHERN SIDE OF LUCY STREET 50 FEET
TO A POINT; RUNNING THENCE NORTHERLY 150 FEET TO THE SOUTHERN
SIDE OF GARTRELL STREET AND THE POINT OF BEGINNING; BEING THE
SAME PROPERTY CONVEYED IN DEED RECORDED AT DEED BOOK 30033,
PAGE 204, FULTON COUNTY, GEORGIA RECORDS; BEING KNOWN AS 419
GARTRELL STREET, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING
HOUSES IN FULTON COUNTY, GEORGIA.

Z-05-37



Deed Book 34909 Pg 227
 Juanita Hicks
 Clerk of Superior Court
 Fulton County, Georgia
 I HAVE BEEN THE CLERK OF SUPERIOR COURT OF FULTON COUNTY, GEORGIA, SINCE 1980

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 45 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

L-05-37

RCS# 6790
6/20/05
6:24 PM

Atlanta City Council

Regular Session

MULTIPLE

05-O-1109 05-O-1110 05-O-1111
05-O-1112 05-O-1113 05-O-1114 05-O-1115
REFER

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
NV Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	NV Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE